

**GOVERNMENT OF TELANGANA  
ABSTRACT**

Tribal Welfare Department – Bhadradri Kothagudem District –Issue of Agency Area Local ST Certificates under GO Ms.No.24 of dt.12.6.2018 of TW (LTR.1) Department – Appeal filed by Sri Guguloth Ashok S/o Hanuma R/o H.No.3-65, Peddathanda H/o Regalla village, Laxmidevipally Mandal, Bhadradri Kothagudem District against rejection made by Project Officer, ITDA Bhadrachalam& Chairman, DLSC vide Lr.Rc.No.A1/DD(TW)/1621/2019, dt.16.12.2019 & 25.02.2021 – Appeal Allowed – Orders – Issued.

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**TRIBAL WELFARE (LTR) DEPARTMENT**

**G.O.Ms.No.37**

**Date:27.04.2021**

**Read the following:-**

1. GO Ms.No.24, TW (LTR.1) Department, dated 12.6.2018.
2. Letter Rc.No. A1/DD (TW)/ 1621/2019, Dt. 16.12.2019 of the Project Officer, ITDA, Bhadrachalam, Bhadradri Kothagudem District & Chairman DLSC
3. Representation of Guguloth Ashok, S/o Hanuma, H.No. 3-65, R/o.Peda Thanda, H/o.Regalla Village, Laxmidevipally Mandal Bhadradri Kothagudem District dated: 07.09.2020.
4. Govt.Memo.No. 265030/TW.LTR/2020, dated 08.10.2020
5. Representation of G. Ashok and 3 others dated 21.12.2020
6. Govt.Memo.No. 265030/TW.LTR/2020, Dated 25.01.2021
7. Representation along with enclosures received from Guguloth Ashok, S/o Hanuma, Regalla, Peda Thanda Laxmidevipally, Bhadradri Kothagudem District dated 09.02.2021
8. Govt.Memo.No. 265030/TW.LTR/2020, Dated 22.02.2021
9. Notice No. 265030/TW.LTR/2020, Dated 22.02.2021
- 10.Letter Rc.No. A1/DD (TW)/ 1621/2019, Dt. 25.02.2021 of the Project Officer, ITDA, Bhadrachalam, Bhadradri Kothagudem District & Chairman DLSC

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**ORDER:**

In the reference 1<sup>st</sup> read above, Government have issued detailed guidelines for issue of Agency Area Local Scheduled Tribe Certificates to the local STs living in the Scheduled Areas and procedure to be adopted for cancellation of such certificates in case of fake/bogus claims.

2. In pursuance of the said Government orders under reference 1<sup>st</sup> read above, the Project Officer, ITDA, Bhadrachalam, Bhadradri Kothagudem District & Chairman DLSC in the reference 2<sup>nd</sup> & 10<sup>th</sup> cited, informed that in which the LST Certificate of the applicant Guguloth Ashok, S/o Hanuma, H.No. 3-65, R/o.Peda Thanda, H/o.Regalla Village, Laxmidevipally Mandal Bhadradri Kothagudem District was rejected based on the remarks of the DLSC Committee headed by the Project Officer, ITDA, Bhadrachalm & Chairman DLSC.

3. The brief facts of the case are that in the reference 3<sup>rd</sup> cited, Sri Guguloth Ashok S/o Hanuma has submitted a representation before the Government on 7.9.2020 stating that he has been selected for the post of Veterinary Assistant through TSPSC Notification No.30/2017 but his claim of agency candidature has been rejected in the DLSC – therefore, prayed to order for re-verification of the same.

4. In the reference 4<sup>th</sup> cited, Government has forwarded the above

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representation to the Collector & District Magistrate, Bhadradri Kothagudem, PO ITDA Bhadrachalam and Director, TCR & TI, Hyderabad to examine and take necessary action as per G.O.Ms.No.24, TW (LTR) Dept. dt.12.6.2018 under intimation to Government.

5. The individual has submitted another representation in the reference 5<sup>th</sup> cited before the Government. His case has been held up in the O/o PO ITDA without communicating him findings of the committee – therefore, requested the Government to examine his certificates and do justice.

6. Accordingly, in the reference 6<sup>th</sup> cited Government has forwarded the representation dt.21.12.2020 again to all the above (3) officers to furnish action taken report as per GO Ms.No.24, TW (LTR) Dept. dt.12.6.2018 on the reference 4<sup>th</sup> cited.

7. In the reference 7<sup>th</sup> cited the applicant Sri G.Ashok has submitted another representation before the Government reiterating the above facts. The Government posted the appeal for hearing on 27.2.2021 along with record of District Collector, Bhadradri Kothagudem wherein the Agency Area Local ST Certificate of the applicant is cancelled.

8. In the reference 8<sup>th</sup> cited, the Collector & District Magistrate, Bhadradri Kothagudem and PO ITDA Bhadrachalam have been requested to furnish connected records along with para-wise remarks immediately to Government for use at the time of hearing scheduled on 27.2.2021 in the Chambers of the Minister for ST welfare.

9. In compliance to reference 8<sup>th</sup> cited, the PO ITDA Bhadrachalam, has furnished remarks and record pertaining to the case of Sri Guguloth Ashok S/o Hanuma R/o H.No.3-65, Pedda thanda H/o Regalla (v) of Laxmidevipalli Mandal, Bahdradri Kothagudem - through the reference 10<sup>th</sup> cited – wherein the following reasons have been reported for rejection of Agency Area Certificate by the Committee:

- On verification of LST file, the applicant has submitted Khasra Pahani of the land in Sy.No.190/AA recorded in the name of Guguloth Badiya (represented as applicant's grandfather), but ID proofs are not established as per the heredity submitted in the file.
- Applicant has furnished another copy of evidence to the Committee on 18.11.2019 which was quite different in heredity chain & land record from the original file submitted by the Tahsildar, Laxmidevipally.
- Further, during the enquiry, it was revealed that the applicant's family has been residing at Pedathanda H/o Regalla village of Laxmidevipalli Mandal from past 25 years only.
- Applicant has submitted two different types of heredity chain and supportive land record. Hence, rejected.

10. The representation of the applicant Sri Guguloth Ashok dt: 9.2.2021 has been taken on file as Appeal and issued the notices to concerned in the

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reference 9<sup>th</sup> cited to attend hearing on 27.2.2021 and hearing conducted against the rejection made by the Scrutiny Committee headed by the PO ITDA Bhadrachalam.

11. Examined the documents available on record and further documentary evidences submitted by the appellant Sri Guguloth Ashok before the Government on various occasions and also during hearing on 27.2.2021. The appellant further prayed the Government to grant time for submission of Resolution of the Gram Panchayat – hence, one week time granted. The appellant has submitted Resolution dt.3.3.2021 passed by the GP Regallapaduthanda (Peddathanda), Lakshmidhevipalli Mandal, B.Kothagudem Dist. on 4.3.2021.

12. The following documents submitted by the appellant have been examined as under:

- i) As per Family Tree duly Notarized (original submitted to the Tahsildar, Laxmidevipalli for issue of Agency Area Local ST Certificate):

Sri Guguloth Lachya is great grandfather of appellant. He has only one son namely Guguloth Madiya (i.e. grandfather of appellant) who has two sons namely 1) Guguloth Ganya (elder brother of father of appellant) and 2) Guguloth Hanuma (father of appellant).

Guguloth Ganya (elder brother of father of appellant) has three sons namely 1) Guguloth Bheema, 2) Guguloth Bhadru and 3) Guguloth Roopla and father of appellant Sri Guguloth Hanuma also has two sons namely 1) Guguloth Hussain and 2) Guguloth Ashok (appellant herein).

The appellant has not disputed with the above family tree as the same has been submitted by him before the Tahsildar, Laxmidevipalli for issue of the Certificate.

- ii) Khasra Pahani 1954-55 - issued under RTI Tahsildar, Laxmidevipalli – recorded name of Sri Guguloth Madiya i.e. grandfather of appellant – given kowl by Venkatrao.
- iii) Receipt dt.21.7.1957 issued by Kalluru Venkatrao & Somaraju Saraswathibai Deshmukh.
- iv) Pahani 1980-81 – issued under RTI by Tahsildar, Laxmidevipalli – shows name of Guguloth Ganya i.e. paternal uncle of appellant for an extent of acs.14.03 gts in Sy.No.123.
- v) Pahani 1992-93 – issued under RTI by Tahsildar, Laxmidevipalli – shows name of Guguloth Ganya i.e. paternal uncle of appellant for an extent of acs.14.03 gts in Sy.No.123.
- vi) Pahani 2006-2007 – issued under RTI by Tahsildar, Laxmidevipalli – shows name of Guguloth Bhadru S/o Ganya (i.e. son of paternal uncle of appellant).

- vii) Rythu Pass Book (old) – issued in the name of Guguloth Ganya (paternal uncle of appellant) R/o Regalla village of erstwhile Kothagudem Taluq, erstwhile Khammam District.
- viii) Voter list for the year 1970 – 270 Palvancha Assembly Constituency – Regalla village – Part No.53 - as certified by Tahsildar, Kothagudem – shows name of Guguloth Madiya S/o Lachya (grandfather of appellant) at Sl.No.567, Guguloth Lali W/o Madiya (grandmother) at Sl.No.568, Guguloth Ganya S/o Madiya (paternal uncle) at Sl.No.569 and Guguloth Doli W/o Ganya (paternal aunt) under H.No.2-67.
- ix) Study certificate issued by Gazetted Head Mistress, Govt. TW Ashrama High School, Regalla thanda, Laxmidevipalli (M), Bhadradi Kothagudem – wherein it was certified that Master Guguloth Ashok S/o Hanuma was a student of Class I studied from 1997 to 1998. His DoB is 10.6.1991.
- x) Study Certificate issued by Gazetted Headmaster, Govt.TW Ashram High School, Regallathanda – Certified that Sri Ashok Guguloth S/o Hanuma studied in the said school from II to V class (1998 to 2002 vide Admission No.3289.
- xi) Study and Conduct Certificate issued by Head Master, Govt. TW Ashram High School, Regalla thanda, Kothagudem Mandal, Khammam Dist. – certified that Gugulothu Ashok studied V class in 2002.
- xii) Electoral Photo Identity Card issued to Sri Guguloth Ganya (paternal uncle) by the Electoral Registration Officer, Kothagudem – issued on 15.12.1995.
- xiii) Electoral Photo Identity Card issued to Sri Suguloth Saroja W/o Hanuma (mother) by Electoral Registration Officer, Kothagudem – issued on 15.12.1995.
- xiv) Electoral Photo Identity Card issued to Sri Guguloth Hanuma S/o Madya (father) by Electoral Registration Officer, Kothagudem – issued on 16.10.2012.
- xv) Resolution dt.3.3.2021 passed by Gram Panchayat Regallapadu thanda (Pedda thanda), Lakshmiddevipalli Mandal, Bhadradi Kothagudem Dist. – certified the following family tree:

Guguloth Lacha is great grandfather of appellant. He has one Son namely Guguloth Madya (grandfather of appellant). Guguloth Madya has two sons namely 1) Guguloth Ganya (paternal uncle of appellant) and 2) Guguloth Hanuma (father of appellant). Guguloth Ganya (paternal uncle) has three sons namely 1) Bheema 2) Bhadradi and 3) Hussain. Guguloth Hanuma (father of appellant) has two sons namely 1) Hussain and 2) Ashok (appellant herein).

Further certified that Sri Guguloth Lachya i.e. great grandfather of appellant was 60 years old as on 01.01.1997 recorded in the voter list of 1970 in Regalla village – and further declared that the family of the appellant with his forefathers have been living in Regallapadu thanda village from before 1950.

13. As seen from the record, Sri Guguloth Ashok S/o Hanuma R/o H.No.3-65, Regalla Pedda Thanda, Laxmidevipalli Mandal, Bhadradi Kothagudem has been provisionally selected for the post of Veterinary Assistant under Agency Area Local ST category in Animal Husbandry Subordinate Services vide Proc.No.1782/B/2018-9, dated 18.7.2018 of the District Veterinary & Animal Husbandry Officer, Khammam District through Telangana State Public Service Commission by Direct Recruitment vide General Recruitment Notification No.30/2017 – test held on 23.7.2017, with Hall Ticket No.3020171630.

14. Sri Badisha Mohan Rao S/o Bikshamaiah and 9 others have filed Writ Petition No.24914 of 2018 praying the Hon'ble High Court to issue an appropriate writ, order or orders or directions more particularly one in the nature of Writ of Mandamus declaring the action of the Respondent Authorities in not conducting enquiry in respect of obtaining false local ST certificates produced by the 11 selected candidates with Veterinary Assistants with Hall Ticket Nos. (1) 3020171223, (2) 3020171630, (3) 3020171746 (4) 3020170481 (5) 3020170254 (6) 3020171356 (7) 3020173115 (8) 3020179341 (9) 3020172283 (10) 3020173375 and (11) 3020171443 in pursuance to the Recruitment Notification No.30/2017, dated 02.06.2017 for filling up the posts of Veterinary Assistants in Agency Area of Khammam District in spite of submitting representations, dt.2.7.2018 to all the authorities and taking steps to issue appointment orders is illegal, arbitrary, biased, unconstitutional, against the principles of natural justice and violative of Article 14, 16 and 21 of the Constitution of India and consequently direct the Respondents Authorities to conduct thorough verification in respect of the certificates and to appoint the Petitioners as per their merit in the said posts.

15. The petitioners have also two I.As in the above WP i.e. 1/2018 praying to issue interim orders directing the Respondent Authorities not to issue any appointment orders to the persons with the above Hall Tickets, pending disposal enquiry, pending disposal of WP No.24914 of 2018 on the file of the High Court; and IA 2/2018 to issue a direction directing the Respondents particularly the District Collector, Khammam District (Nodal Officer) and the Joint Director, Animal Husbandry, Khammam forthwith to conduct enquiry in respect of the local ST certificates obtained by persons with the above (11) Hall Tickets before issuing appointment orders, pending disposal of the WP No.24914 of 2018, on the file of the High Court.

The Hon'ble High Court made the following Order:

“Learned counsel for the petitioners would submit that illegal selections were made by appointing the candidates who do not belong to local scheduled area.

However, learned counsel for the petitioners would submit that

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the petitioners could not get the information about the candidates selected except the hall ticket numbers. Thus, it is not possible for the District Collector to verify the correctness of certificates produced by selected candidates.

Learned Standing Counsel for Telangana State Public Service Commission (TSPSC) is directed to obtain the personal information about the Hall Ticket Nos. 3020171223, 3020171630, 3020171746, 3020170481, 3020170254, 3020171356, 3020173115, 3020173941, 3020172283, 3020173375 and 3020171433 of candidates claiming reservation as local Scheduled Tribes, for appointment to the post of Veterinary Assistants in Agency Area of Khammam District, and furnish information to the learned counsel for the petitioners by 02.08.2018.

The fourth respondent is directed not to make any appointment to the post of Veterinary Assistants in Scheduled Area in Khammam District.

Post on 6.8.2018"

16. Further, the Hon'ble High Court in its order dt.22.10.2019 has disposed of the above WP No.24914 of 2018 making the following order:

"When the matter is taken up for hearing, counsel appearing for the petitioners, the Government Pleaders appearing for respondents 1 to 18, and Sri K.R.Srinivas, counsel appearing for impleaded respondents, have submitted that the issue raised in this writ petition is squarely covered by the order rendered by this Court in W.P No.22685 of 2018, dated 14.02.2019, and therefore, the present writ petition can also be disposed of in terms of the said order.

Having considered the above submission, this Court is of the considered view that this writ petition can be disposed off directing the respondents to re-verify the certificates of all the selected candidates within a period of two weeks and, after conducting such verification, the authorities are at liberty to give appointment orders. It is needless to say that the appointment orders be given to the persons whose certificates are genuine.

With the above directions, the writ petition is disposed off. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed".

17. The Appellant herein is one of the candidates covered in the above WP bearing Hall Ticket No.3020171630. The Hon'ble High Court has disposed the above WP on 22.10.2019 directing the official respondents to re-verify the certificates of the selected candidates and give appointment orders to the persons whose certificates are genuine.

18. Accordingly, the Scrutiny Committee constituted under GO Ms.No.24, TW (LTR) Dept. dt.12.6.2018 had conducted inquiry into the veracity of the Agency Area local ST status of the appellant Sri Guguloth Ashok S/o Hanuma and rejected his plea on the grounds as stated under para (9) above.

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19. As per the family tree duly Notarized (original submitted before the Tahsildar, Laxmidevipalli for issue of Agency Area Local ST Certificate afresh as required under GO Ms.No.24, dt.12.6.2018), Sri Guguloth Madiya is grandfather of appellant. His name was recorded as cultivator in Khasra Pahani 1954-55 issued under RTI by Tahsildar, Laxmidevipalli. Sri Madiya i.e. grandfather of appellant was given kowl by Venkatrao. A receipt dt.21.7.1957 was issued by Kalluri Venkatrao & Somaraju Saraswathibai Deshmukh. The subsequent records i.e. pahani 1980-81, 1992-93, 2006-2007, Rythu Pass Book, Voter list for the year 1970 – copy of which was attested by the Tahsildar, Kothagudem, school study certificates, Electoral Photo Identity Cards issued to the family members, Resolution passed by the Gram Panchayat, Regallapadu thanda H/o Regalla village of Lakshmiddevipalli Mandal confirming the same family tree and also declaring that the family of the appellant herein along with their forefathers have been the continuous residents of Regalla, an agency village in Laxmidevipalli Mandal of Bhadradri Kothagudem District, from before 1950.

20. Government after careful examination of the above documentary evidences establishing continuous residence of the appellant Guguloth Ashok S/o Hanuma in Regallapadu thanda (Peddatanda) of Regalla, an agency village in Lakshmiddevipalli Mandal of Bhadradri Kothagudem, from before 1950, the appellant is declared as local ST of Regalla agency village in Laxmidevipalli Mandal of Bhadradri Kothagudem District.

21. Accordingly, Government hereby set aside the rejection of Agency Area Local ST Certificate communicated by the PO ITDA Bhadrachalam & Chairman, DLSC in Lr.Rc.No.A1/DD (TW)/1621/2019, dt:25.02.2021 and allow the Appeal Petition filed by Guguloth Ashok, S/o Hanuma, H.No. 3-65, R/o.Peda Thanda, H/o.Regalla Village, Laxmidevipally Mandal Bhadradri Kothagudem District and treating the earlier Agency Area Local ST Certificate bearing No.B/801/2017, dt.04.10.2017 issued by the Tahsildar, Laxmidevipalli as genuine.

22. The Collector & District Magistrate, Bhadradri Kothagudem District shall take further necessary action accordingly.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)**

**Dr.CHRISTINA Z.CHONGTHU  
SECRETARY TO GOVERNMENT**

To

The Collector & District Magistrate, Bhadradri Kothagudem District.

Guguloth Ashok, S/o Hanuma, H.No. 3-65, R/o.Peda Thanda,  
H/o.Regalla Village, Laxmidevipally Mandal Bhadradri Kothagudem  
District

Copy to:

1. The Secretary, Telangana State Public Service Commission,  
Hyderabad (for information & necessary action)
2. The Project Officer, ITDA Utnoor, Adilabad District (for information &  
necessary action)
3. The Director, Veterinary & Animal Husbandry Department, TS,  
Hyderabad (for information & necessary action)

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4. District Veterinary & Animal Husbandry Officer, Khammam (for information & necessary action)
5. District Veterinary & Animal Husbandry Officer, Bhadradi Kothagudem District (for information & necessary action)
6. The PS to Hon'ble Minister for ST Welfare for information.
7. The PS to Secretary (TW)
8. The PS to Special Secretary (TW)
9. SF/SC.

**//FORWARDED :: BY ORDER//**

**SECTION OFFICER**